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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,778	06/30/2003	Takayuki Kanbara	Q76358	8122
23373	7590	04/21/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			GRAY, LINDA L	
			ART UNIT	PAPER NUMBER
			1734	

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/608,778	KANBARA ET AL.
Examiner	Art Unit Linda L. Gray	1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1)  Responsive to communication(s) filed on 1-18-05, 10-31-03, and 6-30-03.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

- 4)  Claim(s) 1-57 is/are pending in the application.  
4a) Of the above claim(s) 1-10,15-24,29-31,33-39 and 44-57 is/are withdrawn from consideration.  
5)  Claim(s) 25-28 is/are allowed.  
6)  Claim(s) 11-14,32 and 40-43 is/are rejected.  
7)  Claim(s) 40 is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 30 June 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date *filed 6-30-03*.

- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

**Detailed Action**

**Election/Restriction**

**1. Claims 1-10, 15-24, 29-31, 33-39, and 44-57** are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on 1-18-05.

**Drawings**

**2. Figures 14(a) and 14(b)** should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

**Claim Objections**

**3. Claim 40 is objected to because of the following informality:** "release film" (L 7) should be -- adhesive layer --.

**Claim Rejection - 35 USC 112**

**4.** The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the application regards as his invention.

**5. Claims 40-43 are rejected under 5 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

**Claims 40 and 43** provide a step of separating selvedge; however, neither claim provides a step of forming a selvedge relative to the inner portion such that the inner portion and selvedge can be separated from each other.

**Claim Rejections - 35 USC 102**

**6.** The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**7. Claim 32 is rejected under 35 U.S.C. 102(b) as being anticipated by JP-55-117110 to Mizutani et al.**

**Claim 32**, Mizutani et al. teach a method of bonding polarizing plate 4 including the following steps: **(a)** separating release film 7 from a strip-shaped film (Fig 4) including plate 4 and film 7 with interposition of adhesive layer 5 where the strip-shaped film is supplied from one plate surface of a substrate (liquid crystal display) being transported; **(b)** bonding a tacky surface of the strip-shaped film, freed from film 7, to a mating surface of the substrate so that a proceeding direction of the strip-shaped film coincides with the transport direction of the substrate, and **(c )** severing the strip-shaped film, bonded to one surface of the substrate, along a direction parallel to a forward or rear end face along the transport direction of the substrate (see English abstract; drawings).

**Claim Rejections - 35 USC 103**

**8.** The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**9. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP-8-87007 to Akimoto et al.**

**Claim 11**, JP'007 teaches a polarizing plate bonding method including the following steps:

(a) cutting at least polarizing plate 51 and an adhesive layer of strip-shaped film 42, film 42 composed of plate 51 and release film 53 bonded to plate 51 with interposition of the adhesive layer; cutting occurs when a forward end side severed end face of film 42 perpendicular to the longitudinal direction of film 42 has traveled a length corresponding to a length of substrate 30 to form film piece 52 so as to leave film 53 uncut; (b) separating film 53 from piece 52 severed by the cutting, and (c) bonding a tacky surface of piece 52 freed from film 53 to a mating position of substrate 30 so that a forward end side end face of transported substrate 30 is parallel to the pre-severed end face of piece 52. Polarizing plates include an axis of light transmission (see English abstract; drawings).

*Claim 11, JP'007 does not teach that the direction of the axis of light transmission is oriented obliquely relative to the longitudinal direction of film 42.*

However, it is conventional in the art of bonding polarizing plates to a liquid crystal display, where substrate 30 of JP'007 is a liquid crystal display, to provide that the direction of the axis of light transmission of a polarizing plate be oriented obliquely relative to the longitudinal direction of travel of the plates on a carrier such that the axis will be in an oblique position relative to the edges of the liquid crystal display as needed, and for this reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided for such in JP'007.

**Claim 12**, JP'007 teaches that before cutting, film 42 is reeled out from roll 44 of film 42 having a preset width, sending film 42 along the longitudinal direction. **Claim 13**, JP'007 teaches that before bonding, piece 52 is supplied, freed of film 53, in meeting with the position of substrate 30. **Claim 14**, piece 52 is bonded to a lower side of substrate 30, depending upon the frame of reference.

**10. Claims 11 and 13-14 -14 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP-1-260417 to Kitamura.**

**Claim 11**, JP'417 teaches a polarizing plate bonding method including the following steps:

(a) cutting at least polarizing plate 21 and an adhesive layer of a strip-shaped film, the film is composed of plate 21 and release film 18 bonded to plate 21 with interposition of the adhesive layer; cutting occurs when a forward end side severed end face of the film perpendicular to the longitudinal direction of the film has traveled a length corresponding to a length of substrate 37 to form film piece 29 so as to leave film 18 uncut; (b) separating film 18 from piece 29 severed by the cutting, and (c) bonding a tacky surface of piece 29 freed from film 18 to a mating position of substrate 37 so that a forward end side end face of transported substrate 37 is parallel to the pre-severed end face of piece 29. Polarizing plates include an axis of light transmission (see English abstract; drawings).

***Claim 11**, JP'417 does not teach that the direction of the axis of light transmission is oriented obliquely relative to the longitudinal direction of the film.*

However, it is conventional in the art of bonding polarizing plates to a liquid crystal display, where substrate 37 of JP'417 is a liquid crystal display, to provide that the direction of the axis of light transmission of a polarizing plate be oriented obliquely relative to the longitudinal direction of travel of the plates on a carrier such that the axis will be in an oblique position relative to the edges of the liquid crystal display as needed, and for this reason it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have provided for such in JP'417.

**Claim 13**, JP'417 teaches that before bonding, piece 29 is supplied, freed of the film, in meeting with the position of substrate 37. **Claim 14**, piece 29 is bonded to a lower side of substrate 37, depending upon the frame of reference.

#### **Prior Art of Record**

**11.** The following prior art is made of record where each reference teaches the general concept of bonding a polarizing plate to a liquid crystal substrate: (a) JP-8-50290 to Yamazaki, (b) JP-2003-161935 to Yamabuchi, (c) JP-2000-284269 to Kaneko, and (d) JP-2001-42315 teach bonding polarizing plate 1 to substrate 2.

#### **Allowable Subject Matter**

**12. Claims 25, 26, 27, and 28 are allowable.**

**Claims 40, 41-42, and 43 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action, and for claim 40 the objection should be overcome as well.**

**13. The following is a statement of reasons for the indication of allowable subject matter:**

**claim 25:** JP'110 does not teach cutting before separating and does not teach the method performed on the opposite side of the substrate with where the axis of light transmission of the plates on opposite sides of the substrate are perpendicular to each other;

**claim 25:** JP'007 and JP'417 do not teach the method performed on the opposite side of the substrate with where the axis of light transmission of the plates on opposite sides of the substrate are perpendicular to each other;

**claim 26:** JP'110 does not teach the method performed on the opposite side of the substrate with where the axis of light transmission of the plates on opposite sides of the substrate are perpendicular to each other;

**claim 26:** JP'007 and JP'417 do not teach cutting after bonding and does not teach the method performed on the opposite side of the substrate with where the axis of light transmission of the plates on opposite sides of the substrate are perpendicular to each other;

**claim 27:** JP'110, JP'007, and JP'417 do not teach the steps of changing the direction of transport of the substrate and transporting the substrate in the so changed direction followed by the method being performed on the opposite side of the substrate where the axis of light transmission of the plates on opposite sides of the substrate are perpendicular to each other;

**claim 28:** JP'110 does not teach the steps of changing the direction of transport of the substrate and transporting the substrate in the so changed direction followed by the method being performed on the opposite side of the substrate where the axis of light transmission of the plates on opposite sides of the substrate are perpendicular to each other;

**claim 28:** JP'007 and JP'417 do not teach cutting after bonding and do not teach the steps of changing the direction of transport of the substrate and transporting the substrate in the so changed direction followed by the method being performed on the opposite side of the substrate where the axis of light transmission of the plates on opposite sides of the substrate are perpendicular to each other;

**claim 40:** JP'110, JP'007, and JP'417 do not teach separating a selvedge other than an inner portion of the plate from the substrate, and JP'110 does not teach cutting before bonding; and

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**claim 43:** JP'110, JP'007, and JP'417 do not teach separating a selvedge other than an inner portion of the plate from the substrate, and JP'007 and JP'417 do not teach cutting after bonding.

**14.** As allowable subject matter has been indicated, Applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See CFR 1.111(b) and MPEP 707.07(a).

**Conclusion**

**15.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Gray whose telephone number is (571) 272-1228. The examiner can normally be reached Monday-Friday from 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla, can be reached at (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-1997 (toll-free).

llg *elg*  
April 18, 2005

*Linda Gray*  
LINDA GRAY  
PRIMARY EXAMINER